



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

LCC:ddj

Docket No: 2891-00

8 August 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 August 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 28 June 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



**DEPARTMENT OF THE NAVY**  
**NAVY PERSONNEL COMMAND**  
**5720 INTEGRITY DRIVE**  
**MILLINGTON TN 38055-0000**

1160  
PERS-815  
28 Jun 00

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Via: NPC-00ZCB

Subj: BCNR PETITION [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 23 Apr 00  
(b) MILPERSMAN 1160-100

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of petitioner's request.

- Petitioner reenlisted on 15 Aug 1999 for five years via the STAR program and received a zone "A" SRB entitlement for the MSSS(0000) rate. Petitioner's EAOS at the time was 23 Jul 2000.

- Petitioner was advised that he would be automatically advanced to paygrade E-5 upon the date of reenlistment. However, petitioner was not eligible to advance to paygrade E-5 until 16 Jun 2000 exactly 1 year after advancing to paygrade E-4.

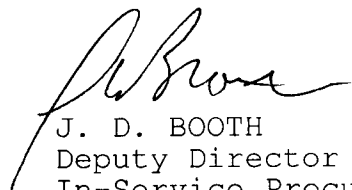
- Per reference (b), personnel must be eligible for advancement and must have one year in paygrade E-4.

- Petitioner requests to change the reenlistment date of 15 Aug 1999 to 1 Jan 2000 and receive automatic advancement to E-5 backdated to 1 Jan 2000 by way of the STAR program.

- PERS-815 cannot recommend changing petitioner's STAR reenlistment date from 18 Aug 1999 to 1 Jan 2000 and advance petitioner to E-5 effective that date. Petitioner was not eligible for the advancement until 16 Jun 2000. Therefore this change will not benefit petitioner's advancement date.

2. In view of the above, recommend petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for the use by the Board for correction of Naval Records (BCNR) only. Enclosure (1) is returned.

  
J. D. BOOTH  
Deputy Director  
In-Service Procurement  
and Transfers Division